

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
                               )  
                               ) CRIMINAL NO.: 04-10159-NG  
v.                             )  
                               )  
LUIS CABRERA             )  
a/k/a Luis Alcantara     )  
a/k/a Luis Cabreia       )  
a/k/a Hector Rivera     )  
a/k/a Hector Rivers     )

JOINT MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and the defendant, by and through his attorney Lawrence Novack, Esq., move, pursuant to 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A), to exclude the period of time commencing on September 7, 2006 and ending on October 25, 2006. As grounds therefor, the parties state that on September 7, 2006, the parties reached a tentative plea agreement. The parties need this additional time to finalize the plea agreement.

WHEREFORE, the parties respectfully request, under 18 U.S.C. §3161(h)(1)(F) and (h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully Submitted,

LUIS CABRERA  
By:

/s/ Lawrence Novack  
LAWRENCE NOVACK  
Attorney for LUIS CABRERA  
(508) 587-8400

MICHAEL J. SULLIVAN  
United States Attorney  
By:

/s/ Seth P. Berman  
SETH P. BERMAN  
Assistant U.S. Attorney  
(617) 748-3385

Dated: September 8, 2006

CERTIFICATE OF SERVICE

I certify that this document was filed through the ECF system, which will provide electronic notice to counsel as identified on the Notice of Electronic Filing.

/s/ Seth P. Berman  
Seth P. Berman

Dated: September 8, 2006